

# BERNSTEIN CLARKE & MOSKOVITZ

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Andrew M. J. Bernstein  
Lance A. Clarke  
Joshua S. Moskovitz

September 28, 2018

**BY ECF**

Magistrate Judge Vera M. Scanlon  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, 1214 South  
Brooklyn, New York 11201

Re: *Hines et al. v. City of New York et al.*, No. 18-cv-4678 (JBW) (VMS)

Your Honor,

I write on behalf of the Plaintiffs pursuant to the Court's September 24, 2018 order to provide proof of service on defendant Police Officer Peter Cybulski of the Court's September 17, 2018 scheduling order and the September 24 order. The affidavit of service from our process served is attached.

Sincerely,

A handwritten signature in dark ink, appearing to be 'J. Moskovitz', written in a cursive style.

Joshua S. Moskovitz

cc: Susan Scharfstein (by ECF)

Enc.

U.S. DISTRICT COURT OF THE STATE OF NEW YORK  
EASTERN-NY COUNTY

SHERRY HINES, MONIQUE HINES AND CARL WAITES

vs

THE CITY OF NEW YORK, ET AL

Plaintiff

Defendant

N  
COURT DATE & TIME: AT  
INDEX #: 1:18 CV 04678-JBW-VMS  
DATE FILED: 08/27/2018  
Job #: 486432  
Client File#

BERNSTEIN CLARKE & MOSKOVITZ PLL  
11 PARK PLACE STE 914  
NEW YORK, NY 10007

CLIENT'S FILE NO.:

AFFIDAVIT OF PERSONAL SERVICE

STATE OF NEW YORK: COUNTY OF NASSAU ss:

I, KEVIN ZUCKER, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York.

That on 09/26/2018 at 2:15 PM at 230 EAST 21ST STREET, NEW YORK, NY 10010 deponent served the within SUMMONS & COMP, CIVIL COV SHEET, IND MOT PRACTICE OF DISTRICT JUDGE JACK B WEINSTEIN, IND PRACTICE RULES OF MAG JUDGE VERA M SCANLON, 8/31/18 ORDER OF DIST JUDGE JACK B WEINSTEIN, 9/5/18 SCH ORDER OF MAGISTRATE JUDGE VERA M SCANLON, ORDER GRANTING PLAINTIFF'S MOTION TO ADJOURN CONFERENCE, JUDGE SCANLONS SEPT 17 2018 SCHEDULING ORDER, JUSTE SCANLONS SEPT 24 ORDER

by personally delivering to and leaving with said PETER CYBULSKI a true copy thereof. At their actual place of business within the State of New York and that deponent knew the person so served to be the person described as said recipient therein.

Said documents were conformed with index number and date of filing endorsed thereon.

A description of the person served is as follows:

**Approx Age:** 22 - 35 Yrs., **Approx Weight:** Over 200 Lbs., **Approx Height:** 5' 9" - 6' 0", **Sex:** Male, **Approx Skin:** White, **Approx Hair:** Blonde/Red  
**Other:**

MUSTACHE, BEARD

Deponent previously attempted to serve the above named individual on

Deponent spoke to PETER CYBULSKI

Inquired as to the POLICE OFFICER PETER CYBULSKI TAX ID 954683, PATROL BUREAU MANHATTAN SOUTH, SPECIALIZED UNITs place of residence and received a positive reply and confirmed the above address of POLICE OFFICER PETER CYBULSKI TAX ID 954683, PATROL BUREAU MANHATTAN SOUTH, SPECIALIZED UNIT and asked whether POLICE OFFICER PETER CYBULSKI TAX ID 954683, PATROL BUREAU MANHATTAN SOUTH, SPECIALIZED UNIT was in active military service of the United States or the State of New York in any capacity, or is a dependant of anyone in the military and received a negative reply and that the POLICE OFFICER PETER CYBULSKI TAX ID 954683, PATROL

Sworn to before me on 09/27/2018  
MAUREEN SCAROLA #01SC6127636  
Notary Public State of NEW YORK  
NASSAU County, Commission Expires 05/31/21



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KEVIN ZUCKER  
1326427